IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1578 of 2007()

(CRIME NO.51/2007 OF VELLARADA POLICE STATION)

PETITIONERS/ACCUSED 1,3,4:

1. **RAJIV KUMAR,AGED 26 YEARS,**
   S/O. DIVAKARAN NAIR,VADAKA NETTYATHU VEEDU,
   KUNNATHUKAL,KARAKONAM,NEYYATTINKARA.

2. **RAMAKRISHNAN NAIR,AGED 69 YEARS,**
   S/O.KUMARA PILLAI,ONMAKADU MEMKUMKARA,
   KRISHNA VILASAM,MUNNATHUKAL, KARAKONAM,
   NEYYATTINKARA.

3. **SASIDHARAN NAIR,AGED 58 YEARS,**
   S/O.KOCHU NARAYANA PILLAI,KUMARA VILASAM,
   KUNNATHUKAL,KARAKONAM,NEYYATTINKARA.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESHKUMAR

RESPONDENT:COMPLAINANT:

STATE OF KERALA, REP.BY PUBLIC
PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1578/2007

Dated this 15th day of March, 2007

O R D E R

The petitioners, three in number, seek anticipatory bail on the allegation that Vellarada Police are at their heels in connection with Crime No.51/2007 registered for offences punishable under Sections 324 and 326 IPC read with Section 34 IPC.

2. The learned Public Prosecutor, on instructions, submitted that the first petitioner and another person are accused Nos. 1 and 2 in the case and that the petitioners 2 and 3 are not accused in the case. If so, the apprehension of arrest and harassment entertained by the petitioners 2 and 3 is unfounded and their request for anticipatory bail is rejected.

3. I am not inclined to grant anticipatory bail to the first petitioner/first accused since the defacto complainant has sustained severe injuries including fracture of clavicle. But at the same time, I am inclined to permit the first accused to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail considered by the Magistrate concerned.

4. Accordingly, the first petitioner/first accused is directed to surrender before the Investigating Officer on any day between 21.3.2007 and 23.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. Thereafter, the petitioner shall be produced on the same day before the Magistrate having jurisdiction, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs